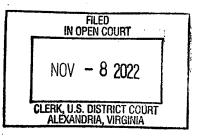
## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA



## Alexandria Division

UNITED STATES OF AMERICA

Case No. 1:22-CR-86

v.

The Honorable Leonie M. Brinkema

KEVIN MCAVENIA,

Sentencing: November 8, 2022

Defendant.

## **MOTION TO DISMISS COUNT TWO**

The United States, through its attorneys, Jessica D. Aber, United States Attorney, and Rachel L. Rothberg, Special Assistant United States Attorney, hereby moves this Court to dismiss Count Two of the Indictment in the above-captioned case as to this defendant only pursuant to the Plea Agreement, ECF No. 33, at 6.

Respectfully submitted,

Jessica D. Aber United States Attorney

Date: November 8, 2022

By: Kuch

Rachel L. Rothberg

Special Assistant United States Attorney (LT)